

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

**SHARON HAGGERTY**, *on behalf of herself  
and others similarly situated*,

Plaintiff,

v.

**BLUETRITON BRANDS, INC., et. al.**,

Defendants.

Civil Action No. 21-13904 (ZNQ) (DEA)

**ORDER**

**QURAISHI, District Judge**

**THIS MATTER** comes before the Court upon two Motions to Dismiss the Amended Complaint (“the Motions”) by Defendant Bluetriton Brands, Inc., (“Defendant Bluetriton”) and Defendant Niagara Bottling LLC (“Defendant Niagara”). (ECF Nos. 24, 27, respectively.) For the reasons set forth in the accompanying Opinion and other good cause shown,

**IT IS** on this **16th** day of **December 2022**,

**ORDERED** that Defendant Bluetriton’s Motion to Dismiss (ECF No. 24) is hereby **GRANTED**; and it is further

**ORDERED** that Defendant Niagara’s Motion to Dismiss (ECF No. 27) is hereby **GRANTED**; and it is further

**ORDERED** that the Amended Complaint (ECF No. 22) is hereby **DISMISSED WITHOUT PREJUDICE**; and it is further

**ORDERED** that Plaintiff is granted leave to file a Second Amended Complaint within thirty (30) days of this Order to cure the deficiencies addressed in the accompanying Opinion. Given Plaintiff’s two prior attempts, failure to do so may result in the matter being dismissed with prejudice.

s/ Zahid N. Quraishi

**ZAHID N. QURAISHI**

**UNITED STATES DISTRICT JUDGE**